IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Paul D. Shirley Serial No.: 10/773,968

Filed: February 6, 2004

Title: DEVICE AND METHOD FOR FORMING AN IMPROVED RESIST

LAYER

Docket: MIO 0112 PA/40509.272

Examiner: Laura Edwards EFS Web Electronic Submission

Art Unit: 1792 August 11, 2009

Conf. No.: 7341

Assistant Commissioner for Patents PO Box 1450 Alexandria, Virginia 22313-1450

Sir:

NOTICE OF APPEAL

The Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Advisory Action in the above-referenced patent application mailed on July 16, 2009. The claims of the present application have been twice rejected. Enclosed is our credit card payment in the amount of \$540.00 to cover the large entity fee for filing this notice of appeal.

DINSMORE & SHOHL L.L.P.

By __/John D. Reed/ John D. Reed Registration No. 46,506

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